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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,376	02/23/2004	Arvind Sundararajan	BEAS-01391US1	8926
23910	7590	04/10/2006	EXAMINER	
FLIESLER MEYER, LLP FOUR EMBARCADERO CENTER SUITE 400 SAN FRANCISCO, CA 94111			PATEL, MANGLESH M	
			ART UNIT	PAPER NUMBER
			2178	

DATE MAILED: 04/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/784,376	SUNDARARAJAN ET AL.	
	Examiner	Art Unit	
	Manglesh M. Patel	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>Aug 17, 2005</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This **Non-Final** action is responsive to communications: IDS filed on August 17, 2005 to the application filed on February 23, 2004.
2. Claims 1-10 are pending. Claims 1 and 5-10 are independent claims.
3. Acknowledgement is made to applicant's claim for priority to U.S. Provisional Application Serial No. 60/450082, filed on 02/25/03.

Information Disclosure Statement

4. The information disclosure statements (IDS) submitted on 8/17/2005, 01/23/05, 03/28/05, 03/24/05, 02/24/05, 02/10/05 and 12/09/04 ^{esp} has^{ve} been entered, and considered by the examiner. Patent U.S. 6,569,693 listed in IDS 02/24/05 has not been considered because it discloses the wrong patent number and the inventor differs from Borwankar.

Drawings

5. The Drawings filed on February 23, 2004 have been approved.

Specification

6. Applicant is reminded of the proper language and format for an abstract of the disclosure.

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The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

7. The specification is objected to because it exceeds 150 words. In addition paragraph 47 should be removed; it does not belong in the abstract since it directs the reader to the specification thereby containing phrases that can be implied.

Claim Rejections - 35 USC § 101

8. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Regarding Independent claim 7, which describes, "A computer program product for execution by a server computer" the claim fails to include a computer-readable medium. The program product should be embodied on a computer-readable medium. Simply changing the claim to recite **"a program product embodied on a computer-readable medium for execution by a server computer"** will overcome the rejection.

Regarding Independent claim 10, recites "A computer data signal embodied in a transmission medium" the medium is not limited to tangible embodiments. Instead describing intangible embodiment (data signal). As such, the claim is not limited to statutory subject matter and is therefore non-statutory.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Song (NPL—REPOX: An XML Repository For Workflow Designs And Specifications, University of Georgia, 2001, pgs 1-60).

Regarding Independent claims 1, 5, 6, 7, 8, 9 and 10, Song discloses a system for transforming between data shapes, comprising:

- The use of a query language adapted to extract information from a first data shape and generate a representation of a second data shape (page 27, section 6.3, wherein the workflow definitions are queried thereby including a query language. The repoX repository also supports XQuery language as described on pages 32 paragraph 2 and 34 paragraphs 1-2. The shapes represent the objects as described in page 7 paragraph 1. Page 16 paragraph 3 describes the transformation using XSLT, thereby providing a representation of the object for mapping to a different format);
- The use of a query engine adapted to generate the default mapping between the representation and the second data shape (page 27, section 6.3 wherein a query tool which inherently includes a query engine is used to extract the workflow definitions

and the XSLT on Page 16 paragraph 3 is used for mapping the object to different formats).

Regarding Dependent claim 2, with Dependency of claim 1, Song discloses wherein: the query language is an XML query language (The repoX repository also supports XQuery language as described on pages 32 paragraph 2 and 34 paragraphs 1-2.).

Regarding Dependent claim 3, which depends on claim 1, Song discloses wherein: at least one of the first and second data shapes is an XML data shape (XSLT on Page 16 paragraph 3 is used for mapping the object to different formats. The objects are the XML data shapes which are transformed from an xml object in one format to an xml object in another format).

Regarding Dependent claim 4, with dependency of claim 1, Song discloses a wherein: at least one of the first and second data shapes is a Java data shape (pages 17-18, wherein a java representation is created from the xml element).

*It is noted that any citation **[[s]]** to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. **[[See, MPEP 2123]]***

Conclusion

Other Prior Art Cited

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Upton (U.S. Pub 2003/0182452) discloses "System And Method For Implementing A Schema Object Model In Application Integration"
- NPL ("Orchestrating Business Processes With BizTalk Server 2000", Microsoft TechNet, Feb 1, 2001, pg 1-19)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manglesh M. Patel whose telephone number is (571) 272-5937. The examiner can normally be reached on M, W 6 am-3 pm T, TH 6 am-2pm, Fr 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Manglesh M. Patel

Patent Examiner

March 30, 2006

A handwritten signature in black ink, appearing to read "Cesar Paula". The signature is fluid and cursive, with the first and last names being clearly distinguishable.

CESAR PAULA
PRIMARY EXAMINER